

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

SHAUNA WILLIAMS, et al.,

*Plaintiffs,*

v.

REPRESENTATIVE DESTIN HALL, in his  
official capacity as Chair of the House Standing  
Committee on Redistricting, et al.,

*Defendants.*

Civil Action No. 23 CV 1057

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NORTH CAROLINA STATE CONFERENCE OF  
THE NAACP, et al.,

*Plaintiffs,*

v.

PHILIP BERGER, in his official capacity as the  
President Pro Tempore of the North Carolina  
Senate, et al.,

*Defendants.*

Civil Action No. 23 CV 1104

**UNCONTESTED MOTION TO SEAL**

Pursuant to Local Rule 40.1(d), Associational Plaintiffs North Carolina State Conference of the NAACP and Common Cause and Individual Plaintiffs Mitzi Reynolds Turner, Dawn Daly-Mack, Corine Mack, Calvin Jones, Linda Sutton, and Syene Jasmin (collectively, “NAACP Plaintiffs”) respectfully move the Court to seal at trial the unredacted voting records of non-party members (“standing members”) of Associational

Plaintiffs living in challenged Congressional and state Senate districts and upon whom NAACP Plaintiffs predicate standing. These documents have been disclosed on NAACP Plaintiffs' Second Amended Exhibit List (Doc. 142-2) at NAACPPX 164–166.<sup>1</sup> In support of this motion, NAACP Plaintiffs state as follows:

1. The voting records are made available by the North Carolina State Board of Elections and contain personally identifiable information, including each member's full name, residential address, registration date, self-identified demographic information, and voting history.

2. This Court granted in part a protective order over these voting records, allowing NAACP Plaintiffs to produce standing member names and addresses pursuant to the parties' protective order, which provides that such information may remain confidential and be presented under seal at trial. Doc. 75 at 14; *see also* Docs. 55 (Consent Protective Order) and 77-1 (Addendum to Protective Order providing for "Attorneys Eyes Only" designation by agreement of the parties).

3. Unredacted voting records for standing members were previously filed in support of NAACP Plaintiffs' Opposition to Legislative Defendants' Motion for Partial Summary Judgment. *See* Docs. 82-2, 82-3, and 82-4. NAACP Plaintiffs filed a motion to seal those unredacted records to protect the identities of standing members and sensitive personal information of Individual Plaintiffs. Doc. 83. That motion was granted by the Court on April 2, 2025. Doc. 97. Since that order, NAACP Plaintiffs have disclosed the

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<sup>1</sup> The exhibits also appeared on NAACP Plaintiffs' first Exhibit List, Doc. 117-2, under the same exhibit numbers.

voting record of one additional NAACP standing member (NAACPPX 166) to Defendants following the Rule 25 Statement Noting Death of Hollis Briggs (Doc. 96).

4. NAACP Plaintiffs now respectfully request to seal the unredacted voting records of standing members offered as exhibits at trial. Publicly disclosing the identity of standing members severely implicates the members' First Amendment rights of free association because of "the vital relationship between freedom to associate and privacy in one's associations." *NAACP v. Ala. ex rel. Patterson*, 357 U.S. 449, 462 (1958). This Court has also noted that "a civil rights organization's interests in protecting the identity of its standing members is sufficiently compelling to overcome the First Amendment presumptive right of access [to membership information]." Doc. 97 at 4.

5. This Court, in granting the prior motion to seal the unredacted records of standing members, recognized the compelling interest in "the right to private association and protecting individuals from the risk of retaliation," especially in light of Associational Plaintiffs' history of keeping membership lists private. *See* Doc. 97 at 3–4.

6. NAACP Plaintiffs intend to use the unredacted voting records at trial to establish standing. Redacted versions of the voting records "would not operate as a practicable alternative" for this purpose, Doc. 97 at 5, because the address of each standing member is necessary to identify their residency in a challenged district for the purpose of standing.

7. The parties met and conferred on this issue on Tuesday, June 3, 2025 by video conference, and via email. *Williams* Plaintiffs and State Board of Elections Defendants consent to this motion. Legislative Defendants take no position on this motion. Through

the meet and confer process, Legislative Defendants have also represented that they only intend to use at trial the redacted versions of confidential materials produced by NAACP Plaintiffs, which need not be placed under seal.

8. Additionally, the parties have agreed to use only paper copies of unredacted, sealed exhibits and to refer to standing members by the Bates number on each record, rather than referencing the name of standing members, to avoid the need to seal the courtroom or any witness testimony. However, should using the name of standing members become necessary, NAACP Plaintiffs further request that the courtroom and portions of witness testimony be sealed if the names of standing members are disclosed during testimony.

For the reasons set forth above, NAACP Plaintiffs respectfully request that the Court grant their motion to seal the unredacted voting records of standing members.

Dated: June 9, 2025

Respectfully submitted,

/s/ Lily Talerman  
Lily Talerman

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\*Appearing in this matter by Special  
Appearance pursuant to L-R 83.1(d)

### **CERTIFICATE OF SERVICE**

I certify that on June 9, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Lily Talerman  
Lily Talerman